

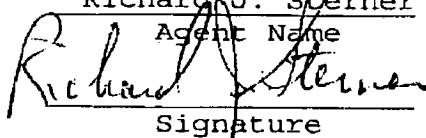
1133279-0017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Pazienza, et al.
 Serial No. : 10/071,071
 Filed : February 8, 2002
 For : CRIMPABLE INTRALUMINAL ENDOPROSTHESIS
 HAVING HELICAL ELEMENTS
 Examiner : U. Chattopadhyay
 Group Art Unit : 3738

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 22313-1450, on November 16, 2004.

Richard J. Serner
 Agent Name

 Signature

35,372
 PTO Reg. No.
 November 16, 2004
 Date of Signature

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No. of pages: 4

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A SMALL ENTITY
(37 CFR §1.28(C))

Sir:

When the instant application was filed on February 8, 2002,
 an erroneous claim to small entity status was made inadvertently
 and without deceptive intent. Again without deceptive intent,
 this claim was never subsequently withdrawn. This Notification

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of Error is submitted in order to effect payment of deficiencies owed in accordance with the rules. The claim to status as a small entity is hereby withdrawn.

PAYMENT OF FEES AS SMALL ENTITY

1) The basic application filing fee of \$370 was paid on February 8, 2002. The current fee amount for a non-small entity is \$790, and the deficiency owed is thus \$420.

2) An excess total claims fee of \$153 was paid on February 8, 2002. The current fee amount for a non-small entity is \$306, and the deficiency owed is thus \$153.

3) An excess independent claims fee of \$126 was paid on February 8, 2002. The current fee amount for a non-small entity is \$264, and the deficiency owed is thus \$138.

4) A late declaration surcharge of \$65 was paid on April 8, 2002. The current fee amount for a non-small entity is \$130, and the deficiency owed is thus \$65.

5) A one-month extension fee of \$55 was paid on January 7, 2004. The current fee amount for a non-small entity is \$110, and the deficiency owed is thus \$55.

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6) A one-month extension fee of \$55 was paid on July 26, 2004. The current fee amount for a non-small entity is \$110, and the deficiency owed is thus \$55.

7) The issue fee of \$665 was paid on September 22, 2004. The current fee amount for a non-small entity is \$1,370, and the deficiency owed is thus \$705.

FEE PAYMENT FOR DEFICIENCY

As can be determined from the itemized information above, the total deficiency owed, i.e., the difference between the amount of fees paid by Applicants at the small-entity level and the currently set amount of those fees for a non-small entity, is \$1,591. Authorization is hereby given to charge this sum to Deposit Account No. 23-1703. To the knowledge of Applicants' agent, no other fees of small-entity level were paid by Applicants or charged by the PTO. However, should it be determined that any additional deficiencies exist, said deficiencies may likewise be charged.

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This submission is made in good faith and meets all of the requirements of 37 CFR §1.28(c)(2).

Date: November 16, 2004

Respectfully submitted,



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